

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ADAM DOBSON,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-1958</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>THE MILTON HERSHEY</b>	:	
<b>SCHOOL, <i>et al.</i>,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 7th day of December, 2018, upon consideration of the motion (Doc. 106) for leave to file a second amended complaint by plaintiff Adam Dobson ("Dobson"), and upon reconsideration of our August 10, 2017 memorandum and order (Docs. 50, 51), and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. The motion (Doc. 106) to file a second amended complaint is GRANTED in part and DENIED in part as follows:
  - a. Dobson is DENIED leave to add a claim under the UTPCPL and to add a breach of contract claim as appears in the proposed second amended complaint (Doc. 106-1).
  - b. Dobson is GRANTED leave to file a second amended complaint consistent with the accompanying memorandum.
2. Dobson shall file the second amended complaint within **fourteen (14) days** of the date of this order, consistent with the above paragraph and the accompanying memorandum. In the absence of a timely filed second amended complaint, the above-captioned action shall proceed on the amended complaint in accordance with the accompanying memorandum.

3. With the exception of intentional infliction of emotional distress (Count IX), the previously dismissed state law tort claims in Dobson's amended complaint are REINSTATED. Count IX is DISMISSED without prejudice for the reasons provided in the accompanying memorandum.
4. The court's August 10, 2017 memorandum and order (Docs. 50, 51) are VACATED.
5. Defendants' motion (Doc. 92) for judgment on the pleadings is DISMISSED without prejudice as moot.
6. The parties' joint motion (Doc. 126) to extend case management deadlines is DISMISSED as moot. In light of the memorandum and order of today's date, the parties shall meet and confer and file a joint proposed scheduling order amending the current case management deadlines, (see Doc. 101), on or before **Friday, December 28, 2018**. The parties shall further advise the court whether today's ruling moots or modifies the discovery dispute brought to the court's attention on December 5, 2018. (See Doc. 125).

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania